

115TH CONGRESS  
2D SESSION

# H. R. 6580

To amend the Immigration and Nationality Act to provide for expedited naturalization processes for the alien spouses of first responders who die as a result of their employment, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 26, 2018

Mr. BACON introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To amend the Immigration and Nationality Act to provide for expedited naturalization processes for the alien spouses of first responders who die as a result of their employment, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Kerrie Orozco First  
5 Responders Family Support Act”.

1 **SEC. 2. EXPEDITED NATURALIZATION FOR SPOUSES OF**  
2 **FIRST RESPONDERS.**

3 Section 319 of the Immigration and Nationality Act  
4 (8 U.S.C. 1430) is amended by adding at the end the fol-  
5 lowing:

6 “(f) SPOUSES OF FIRST RESPONDERS.—

7 “(1) IN GENERAL.—Any person not described  
8 in section 212(a)(9)(B)(ii) who is the surviving  
9 spouse, child, or parent of a United States citizen,  
10 whose citizen spouse, parent, or child dies as a result  
11 of injury or disease incurred in or aggravated by em-  
12 ployment as a first responder, and who, in the case  
13 of a surviving spouse, was living in marital union  
14 with the citizen spouse at the time of his death, may  
15 be naturalized upon compliance with all the require-  
16 ments of this title except that no prior residence or  
17 specified physical presence within the United States  
18 shall be required.

19 “(2) DEFINITION.—For purposes of this sub-  
20 section—

21 “(A) the term ‘first responder’ means Fed-  
22 eral, State, and local governmental and non-  
23 governmental emergency public safety, fire, law  
24 enforcement, emergency response, and emer-  
25 gency medical (including hospital emergency fa-  
26 cilities) personnel; and

1 “(B) the terms ‘United States citizen’ and  
 2 ‘citizen spouse’ include a person granted post-  
 3 humous citizenship under section 329B.”.

4 **SEC. 3. POSTHUMOUS CITIZENSHIP THROUGH DEATH**  
 5 **WHILE SERVING AS A FIRST RESPONDER.**

6 (a) IN GENERAL.—Title III of the Immigration and  
 7 Nationality Act (8 U.S.C. 1401 et seq.) is amended by  
 8 inserting after section 329A the following:

9 **“SEC. 329B. POSTHUMOUS CITIZENSHIP THROUGH DEATH**  
 10 **WHILE SERVING AS A FIRST RESPONDER.**

11 “(a) PERMITTING GRANTING OF POSTHUMOUS CITI-  
 12 ZENSHIP.—Notwithstanding any other provision of this  
 13 title, the Secretary of Homeland Security shall provide,  
 14 in accordance with this section, for the granting of post-  
 15 humous citizenship at the time of death to a person de-  
 16 scribed in subsection (b) if the Secretary of Homeland Se-  
 17 curity approves an application for that posthumous citi-  
 18 zenship under subsection (c).

19 “(b) NONCITIZENS ELIGIBLE FOR POSTHUMOUS  
 20 CITIZENSHIP.—A person referred to in subsection (a) is  
 21 a person not described in section 212(a)(9)(B)(ii) who,  
 22 while an alien or a noncitizen national of the United  
 23 States—

24 “(1) was employed as a first responder (as such  
 25 term is defined in section 319(f)); and

1           “(2) died as a result of injury or disease in-  
2           curred in or aggravated by that employment.

3   The chief officer of the entity that employed the person  
4   shall determine whether the person satisfied the require-  
5   ments of paragraphs (1) and (2).

6           “(c) REQUESTS FOR POSTHUMOUS CITIZENSHIP.—

7           “(1) IN GENERAL.—A request for the granting  
8           of posthumous citizenship to a person described in  
9           subsection (b) may be filed on behalf of that per-  
10          son—

11                  “(A) upon locating the next-of-kin, and if  
12                  so requested by the next-of-kin, by the Director  
13                  of United States Citizenship and Immigration  
14                  Services immediately upon the death of that  
15                  person; or

16                  “(B) by the next-of-kin.

17           “(2) APPROVAL.—The Director of United  
18           States Citizenship and Immigration Services shall  
19           approve a request for posthumous citizenship filed  
20           by the next-of-kin in accordance with paragraph  
21           (1)(B) if—

22                  “(A) the request is filed not later than 2  
23                  years after—

24                  “(i) the date of enactment of this sec-  
25                  tion; or

1 “(ii) the date of the person’s death;  
2 whichever date is later; and

3 “(B) the request is accompanied by a duly  
4 authenticated certificate from the chief officer  
5 of the entity that employed the person which  
6 states that the person satisfied the require-  
7 ments of paragraphs (1) and (2) of subsection  
8 (b).

9 “(d) DOCUMENTATION OF POSTHUMOUS CITIZEN-  
10 SHIP.—If the Director of the Bureau of Citizenship and  
11 Immigration Services approves the request referred to in  
12 subsection (c), the Director shall send to the next-of-kin  
13 of the person who is granted citizenship, a suitable docu-  
14 ment which states that the United States considers the  
15 person to have been a citizen of the United States at the  
16 time of the person’s death.”.

17 (b) CLERICAL AMENDMENT.—The table of contents  
18 for the Immigration and Nationality Act (8 U.S.C. 1101  
19 et seq.) is amended by inserting after the item relating  
20 to section 329A the following:

“329B. Posthumous citizenship through death while serving as a first re-  
sponder.”.

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